MARKED UP VERSION OF THE AMENDED CLAIMS

(Version with marking to show changes made)

1. (amended) Reaction chambers coated with native, synthetically or enzymatically prepared nucleic acids, wherein said coating is performed non-covalently with a [mixture of] calibrated nucleic acid [acids said standard nucleic acids and carrier nucleic acids] at the surface of the inner walls of reaction chambers which [neither] surface of the inner walls does not require any [requires] chemical nor biochemical modification prior to coating , which reaction chambers are storable without problems for a prolonged period of time with unchanged quality.

2. (amended) Reaction chambers according to claim 1, wherein they are comprised

of glass or plastic vessels or of glass capillaries , and wherein they are useable for kits.

3. (amended) Reaction chambers according to claim 1, wherein [said] DNA, RNA,

synthetic equivalents of DNA and/or RNA, as well as dU-containing DNA after calibration are used as [standard] calibrated nucleic acids.

4. (amended) Reaction chambers according to claim 1, [wherein said,] further comprising

a) for [the] dilution of DNA standards, a DNA solution is used comprising a nucleic acid compound having a minimum

sequence homology to the nucleic acid compound to be analyzed, and

b) a tRNA solution is used for [the] dilution of the RNA standards.

5. (amended) Reaction chambers according to claim 1, [wherein said] further comprising carrier nucleic acid [is] being DNA of the lambda phage which is converted into readily soluble

fragments of a mean length of about 1 - 2 kb by means of ultrasonic treatment, and wherein carrier nucleic acid is added to the calibrated nucleic acid, wherein the carrier nucleic acid generates an improved adsorption during a lyphilization process, an increased stability of the calibrated nucleic acid in the reaction chambers, and serve for producing a thinning sequence out of the calibrated nucleic acid.

6. (amended) [Method] A method for the production of reaction chambers [according to claim 1, wherein said] comprising

directly aliquoting calibrated standard nucleic acids and added carrier nucleic acid

[acids are directly aliquoted] into reaction chambers, and [are]

subsequently non-covalently [adsorbed] adsorbing the calibrated standard nucleic acids and added carrier nucleic acids directly in the inner wall of the reaction chamber

by means of freeze-drying or vacuum-centrifugating lyophilization.

8. (amended) Method according to claim 6 [, wherein said] further comprising

using DNA, RNA, synthetic

equivalents and/or RNA, as well as dU-containing DNA [are used] as nucleic

acids.

9. (amended) Method according to claim 6 [, wherein said,] further comprising

a) for the dilution of DNA standards, a DNA solution is used comprising a nucleic acid having a minimum sequence

homology to the nucleic acid compound to be analyzed, and

b) a tRNA solution is used for the dilution of the RNA standards.

11. (amended) Method according to claim 6 further comprising

[, wherein reaction chambers are, if necessary,] simultaneously [coated] coacting, if necessary, reaction chambers with a multitude (i.e. at least two) of application-specific calibrated nucleic acids of different cellular or organic origin, or originating from different species.

12. (amended) Method according to claim 6, wherein said coating is performed of at

least 96 reaction chambers which are arranged in a microtiter format

and which comprise at least 12x 8-well strips containing carrier

nucleic acids and calibrated nucleic acids while [the] an arbitrarily

chosen concentration of each calibrated nucleic acid differs stepwise

from well to well (highest concentration in A1-A12, lowest concentration in H1-H12) in order to cover the entire concentration range of [the] an analyte nucleic acid to be measured.

14. (amended) Method according to claim 6, wherein apart from the calibrated

standard nucleic acids, at least two oligonucleotides [acting as primers or probes] which are either 5`- and/or 3`- labeled with a fluorescent or non-fluorescent chromophore or unlabeled, the carrier nucleic acid and further components required for enzymatic nucleic acids amplification are contained in the reaction chambers in a lyophilized formulation, or at least two oligonucleotides [acting as primers or probes], the carrier nucleic acid and further components required for enzymatic nucleic acids amplification are contained in separate vessels without said standard nucleic acids in a lyophilized formulation.

16. (amended) Method according to claim 15 further comprising

using test kits comprised of an octet strip of closed reaction chambers coated with eight different nucleic acid concentrations [and closed with a film / foil,] of at least two oligonucleotides, as well as one carrier nucleic acid and closed with a film / foil.

17. (amended) A method for producing reaction chambers comprising employing a chamber wherein calibrated standard nucleic acids and added carrier nucleic acids are directly aliquoted into the chamber,
lyophilizing the calibrated standard nucleic acids and the added carrier nucleic acids by freeze-drying or vacuum-centrifugating; and
non-covalently adsorbing directly the calibrated standard nucleic acids and the added carrier nucleic acids [in] onto the inner wall of the chamber and thereby producing a reaction chamber.

18. (amended) The method according to claim 17 further comprising non-covalently adsorbing directly the calibrated standard nucleic acids and the added carrier nucleic acids onto [coating] plastic vessels or glass capillaries.

19. (amended) The method according to claim 17 further comprising employing DNA, RNA, synthetic equivalents and/or RNA, as well as dU containing DNA as calibrated standard nucleic acids.

20. (amended) The method according to claim 17 further comprising employing a DNA solution comprising a nucleic acid having a minimum sequence homology to the nucleic acid compound to be analyzed for a dilution of DNA standards, and

employing a tRNA solution for a dilution of RNA standards.

21. (amended) The method according to claim 17 further comprising furnishing a carrier nucleic acid by employing a DNA of a lambda phage [as a carrier nucleic acid], and

converting the DNA of the lambda phage into readily soluble fragments of a mean length of about 1 - 2 kb by means of ultrasonic treatment.

23. (amended) The method according to claim 17 further comprising performing coating of at least 96 reaction chambers which are arranged in a microtiter format and which comprise at least 12x 8-well strips containing

carrier nucleic acids and calibrated nucleic acids while [the] an arbitrarily chosen concentration of each calibrated nucleic acid differs stepwise from well to well (highest concentration in A1-A12, lowest concentration in H1-H12) in order to cover the entire concentration range of [the analyte nucleic acid to be measured.] an

25. (amended) The method according to claim 17 further comprising employing at least two [oligonucleotides acting as] oligonucleotide primers or probes which are either 5`- and/or 3`- labeled with a fluorescent or non-fluorescent chromophore or unlabeled apart from the calibrated standard nucleic acids;

containing the carrier nucleic acid and further components required for enzymatic nucleic acids amplification in the reaction chambers in a lyophilized formulation, or at least two [oligonucleotides acting as] oligonucleotide primers or probes; and

containing the carrier nucleic acid and further components required for enzymatic nucleic acids amplification in separate vessels without said standard nucleic acids in a lyophilized formulation.

27. (amended) The method according to claim 17 further comprising forming a test kit comprising an octet strip of closed reaction chambers coated with eight different nucleic acid concentrations [and closed with a film / foil,] of at least two oligonucleotides, as well as one carrier nucleic acid and closed with a film / foil.

28. (amended) The method according to claim 17 further comprising forming a test kit comprising a strip of eight reaction [vesselsl] vessels coated with eight different amounts of at least one calibrated standard nucleic acid, carrier nucleic acid and at least two oligonucleotides and which is sealed with an appropriate self-adhesive foil.

29. (amended) A reaction chamber obtained by employing a method for producing reaction chambers comprising

employing a chamber wherein calibrated standard nucleic acids and added carrier nucleic acids are directly aliquoted into the chamber;

lyophilizing the calibrated standard nucleic acids and the added carrier nucleic acids by freeze-drying or vacuum-centrifugating; and

non-covalently adsorbing directly the calibrated standard nucleic acids and the added carrier nucleic acids [in] onto the inner wall of the chamber and thereby producing a reaction chamber , wherein the reaction chamber is suitable to be stored at room temperature for a period longer than a year without loss of quality.

REMARKS

Claims 1 through 34 continue to be in the case.

The amendment of claim 1 is based on the specification, page 4, line 22.

The amendment of claim 2 is based on the specification, page 4, line 23.

The amendment of claim 29 is based on the specification, page 6, line 25.

1. The last Office action is in response to amendments filed on August 8, 2002 and January 22, 2003.

A Supplemental Response dated April 17, 2003 and filed April 17, 2003 and received by the United States Patent and Trademark Office on April 21, 2003 with new claims 30 through 34 should be given consideration in an Office Action , since the Supplemental Response was filed prior to the issuance of the present Office Action.

In the amendment of August 8, 2002, Applicant amended claims 1-16 and added new claim 17-29.

2. Claims 1-29 are pending and will be examined.

Applicant respectfully disagrees. Applicant submits that on April 24, 2003 not only claims 1 through 29 were pending, but also claims 30 through 34.

3. Applicant's amendments of claims 1-16 introduced new grounds for rejection under 35 U.S.C.112, second paragraph. Rejection of claims 1-5 under 35 U.S.C. over Day et al. is maintained (see *Response to Arguments* below).

Applicant is amending claims 1 through 16 to ovecome the rejections.

The Office Action refers to Response to Arguments.

4. In response to applicant's argument that the Day et al. reference teaches dried template DNA and dried PCR nucleotides, but no standard DNA, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey,* 152 USPQ 235 (CCPA 1967) and *In re Otto,* 136 USPQ 458, 459 (CCPA 1963).

Standard DNA is any piece of DNA that can be used as a standard in a particular reaction, for example, PCR. Therefore the fact that the dried DNA is intended for use as a standard does not distinguish it from any other dried DNA.

Applicant is now amending the language of claim 1 and refers now to "calibrated" DNA.

The Office Action refers to Claim Objections.

5. Claim 1 stands objected to because of the following informalities:

a) no comma between "calibrated nucleic acids" and "said standard nucleic acids",

b) the phrase "which neither requires chemical nor biochemical modification prior to coating" would be made clearer by changing it to "which require neither chemical nor biochemical modification prior to coating", since this part seems to refer to the reaction chambers, c) there is a quotation mark at the end of claim 1.

The present amendment changes claim 1 to obviate the rejections.

6. Claim 6 stands objected to because of the phrase "adsorbed directly in the inner wall". A more grammatically correct, and clearer, phrase would be "adsorbed directly onto the inner wall".

The change kindly suggested by the examiner is implemented in the present amendment.

7. Claim 14 stands objected to because of the phrase "oligonucleotides acting as primers". The method of claim 6 does not include amplification steps, so the primers are not taking part in any active process. A more appropriate phrase would be simply "oligonucleotide primers". In addition, the claim would be clearer if presented in a Markush group format.

Claim 14 is now amended to furnish the suggested corrections.

A claim 14 in Markush format could read as follows if this would be acceptable:

14. (amended) Method according to claim 6, wherein apart from the calibrated

standard nucleic acids, at least two members of the group consisting of oligonucleotides which are [either] 5`- [and/or 3`-] labeled with a fluorescent [or

non-fluorescent] chromophore [or unlabeled], oligonucleotides which are 3`- labeled with a fluorecent chromophore, oligonucleotides which are 3`- and 5`- labeled with a fluorecent chromophore,

oligonucleotides which are 5`- labeled with a non-fluorescent chromophore, oligonucleotides which are 3`- labeled with a non-fluorecent chromophore, oligonucleotides which are 3`- and 5`- labeled with a non-fluorecent chromophore, unlabeled oligonuccleotides, and mixtures thereof,

the carrier nucleic acid

and further components required for enzymatic nucleic acids

amplification are contained in the reaction chambers in a lyophilized

formulation, or at least two oligonucleotides, the carrier nucleic acid and further components required for

enzymatic nucleic acids amplification are contained in separate

vessels without said standard nucleic acids in a lyophilized

formulation.

If the above language is acceptable , applicant will change claim 14 and introduce the above language.

8. Claim 17 stands objected to because of the phrase "adsorbing directly ... in the inner wall". A more grammatically correct, and clearer, phrase would be "adsorbing directly .. . onto the inner wall".

The suggestion of the examiner is well taken and is implemented in the present amendment.

9. Claim 25 stands objected to because of the phrase "oligonucleotides acting as primers". The method of claim 17 does not include amplification steps, so the primers are not taking part in any active process. A more appropriate phrase would be simply "oligonucleotide primers". In addition, the claim would be clearer if presented in a Markush group format.

Claim 25 is now amended in accordance with the kind suggestion of the Examiner.

In the following a proposed claim 25 is set forth with Markussh language as suggested in the Office Action.

25. (amended) The method according to claim 17 further comprising employing at least two members of the group consisting of oligonucleotide primers or probes which are [either] 5`- [and/or 3`-] labeled with a fluorescent [or non-fluorescent] chromophore [or unlabeled], oligonucleotide primers or probes which are 3`- labeled with a fluorescent chromophore, oligonucleotide primers or probes which are 5`- and 3`- labeled with a fluorescent chromophore, oligonucleotide primers or probes which are 5`- labeled with a non-fluorescent chromophore, oligonucleotide primers or probes which are 3`- labeled with a non-fluorescent chromophore, oligonucleotide primers or probes which are 5`- and 3`- labeled with a non- fluorescent chromophore, oligonucleotide primers or probes which are unlabeled, and mixtures thereof; apart from the calibrated standard nucleic acids;

containing the carrier nucleic acid and further components required for enzymatic nucleic acids amplification in the reaction chambers in a

lyophilized formulation, or at least two oligonucleotide primers or probes; and

containing the carrier nucleic acid and further components required for enzymatic nucleic acids amplification in separate vessels without said standard nucleic acids in a lyophilized formulation.

If this form of claim 25 should be acceptable, applicant will introduce it formally in the next amendment.

10. Claim 28 stands objected because of the word "vessels".

The language of claim 28 is being corrected.

11. Claim 29 is objected to because of the phrase "adsorbing directly ... in the inner wall". A more grammatically correct, and clearer, phrase would be "adsorbing directly ... onto the inner wall".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinit failingto particularly point out and distinctly claim the subject matter which applicant rega

A) Claim 1 is indefinite over the recitation of "said standard nucleic acids". There is insufficient antecedent basis for this limitation in the claim. There is no mention of standard nucleic acids anywhere else in claim 1.

The present amendment changes the language to implement the proposition kindly made in the Office Action.

B) Claim 3 recites the limitation "said DNA, RNA synthetic equivalents of DNA and/or RNA, as well as dU-containing DNA" in lines 1, 2. There is insufficient antecedent basis for this limitation in the claim. Claim 3

depends from claim 1, and there is no mention of any of these types of nucleic acids in claim 1.

Claim 3 is being amended to obviate the rejection.

C) Claim 4 is indefinite over the recitation of "wherein said". It is not clear to what part of claim 1 does "said" refer to.

The present amendment corrects claim 4.

D) Claim 4 is indefinite over the recitation of "a DNA solution is used comprising a minimum sequence homology to the nucleic acid compound". It is not clear how a solution can have sequence homology to a nucleic acid.

The language of claim 4 is being corrected.

E) Claim 5 is indefinite over the recitation of "said carrier nucleic acid". There is insufficient antecedent basis for this limitation in the claim. There is no mention of carrier nucleic acid in claim 1, there is a limitation "carrier nucleic acids".

Claim 5 is being amended.

F) Claim 6 is indefinite because it does not recite positive method steps. While minute details are not required in method claims, at least the basic steps must be recited in a positive, active fashion. See Ex parte Erlich, 3 USPQ2d, p. 1011 (Bd. Pat. App. Int. 1986). It is suggested that the claims be rewritten such that they set forth defined methods, such as by reciting "[a] method of..., comprising the steps of ...", after which a series of active steps is recited, for example "obtaining a biological sample" or "hybridizing a probe to said biological sample, wherein said probe...".

Claim 6 is being amended to recite positive method steps.

G) Claim 6 is indefinite over the recitation of "said calibrated standard nucleic acids". There is insufficient antecedent basis for this limitation in the claim. There is no mention of calibrated standard nucleic acids anywhere else in claim 6.

Applicant believes that the present amendment overcomes the antecedent basis problem.

H) Claim 8 recites the limitation "said DNA, RNA synthetic equivalents of DNA and/or RNA, as well as dU-containing DNA" in lines 1, 2. There is insufficient antecedent basis for this limitation in the claim. Claim 8 depends from claim 6, and there is no mention of any of these types of nucleic acids in claim 6.

Claim 6 is now being amended to obviate the rejection.

I) Claim 9 is indefinite over the recitation of "wherein said". It is not clear to what part of claim 6 does "said" refer to.

The language "said" is being eliminated in the present amendment.

I) Claim 9 is indefinite over the recitation of "a DNA solution is used comprising a minimum sequence homology to the nucleic acid compound". It is not clear how a solution can have sequence homology to a nucleic acid.

The objectionable language is now being corrected.

E) Claim 10 is indefinite over the recitation of "said carrier nucleic acid". There is insufficient antecedent basis for this limitation in the claim. There

is no mention of carrier nucleic acid in claim 1, there is a limitation "carrier nucleic acids".

The language of claim 6 is being corrected to provide proper antecedent basis for claim 10.

F) Claim 11 is indefinite over the recitation of "said coating". There is insufficient antecedent basis for this limitation in the claim. There is no limitation of "coating" in claim 6, from which claim 11 depends.

This rejection apparently refers to claim 12. The objectionable language is being removed.

G) Claim 11 is indefinite over the recitation of "the arbitrarily chosen concentration". There is insufficient antecedent basis for this limitation in the claim. There is no limitation of "arbitrarily chosen concentration" in claim 6, from which claim 11 depends.

Again, the language of claim 12 is being corrected.

H) Claim 11 is indefinite over the recitation of "the analyte nucleic acid". There is insufficient antecedent basis for this limitation in the claim. There

is no limitation of "analyte nucleic acid" in claim 6, from which claim 11 depends.

Claim 11 is further corrected to also obviate this rejection.

I) Claim 16 is indefinite because it is not clear what is the relationship between the test kits, two oligonucleotides and carrier nucleic acid. Are the two oligonucleotides and the carrier nucleic acid part of the test kit or are they being used separately?

The language of claim 16 is being corrected and deemed to be now more clear.

J) Claim 18 is indefinite because it is not clear whether "further comprising coating plastic vessels or glass capillaries" means that other reaction chambers are prepared, in addition to the reaction chambers of claim 17.

The present amendment corrects the language of claim 18.

K) Claim 19 is indefinite because it is not clear whether "further comprising employing DNA, RNA..." means that these nucleic acids are added in addition to the standard and carrier nucleic acids already in the chamber.

Since "employing" is understood to mean "using", it is also not clear what these different nucleic acids are being used for.

The present amendment seeks to clarify the language of claim 19.

L) Claim 20 is indefinite over the recitation of "further comprising employing a DNA solution..., and employing a tRNA solution". It is not clear how these solutions are being used in the method.

M) Claim 20 is indefinite over the recitation of "a DNA solution is used comprising a minimum sequence homology to the nucleic acid compound". It is not clear how a solution can have sequence homology to a nucleic acid.

The present amendment corrects the language of claim 20.

N) Claim 21 is indefinite over the recitation of "further comprising employing a DNA of a lambda phage..". It is not clear how this DNA is being used in the method.

The present amendment clarifies the language of claim 21.

O) Claim 23 is indefinite over the recitation of "the arbitrarily chosen concentration". There is insufficient antecedent basis for this limitation in the claim. There is no limitation of "arbitrarily chosen concentration" in claim 17, from which claim 23 depends.

The present amendment attempts to overcome the indefiniteness of claim 23.

P) Claim 23 is indefinite over the recitation of "the analyte nucleic acid". There is insufficient antecedent basis for this limitation in the claim. There is no limitation of "analyte nucleic acid" in claim 17, from which claim 23 depends.

Claim 23 is being further changed to obviate this rejection.

R) Claim 25 is indefinite over the recitation of "further comprising employing at least two oligonucleotides acting as primers". It is not clear how these oligonucleotides are being used in the method.

The amended language of claim 25 is believed to overcome the rejection.

S) Claim 27 is indefinite because it is not clear what is the relationship between the test kits, two oligonucleotides and carrier nucleic acid. Are the two oligonucleotides and the carrier nucleic acid part of the test kit or are they being used separately?

The new wording of claim 27 is provided to resolve the test kit question.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that for

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. The following rejection is based on the product claimed in claim 1, which is "React

chambers coated with native, synthetically or enzymatically prepared nucleic acids", irrespective of the way in which they were obtained (see MPEP 2113). **2113 Product-by-Process Claims**

PRODUCT-BY-PROCESS CLAIMS ARE NOT LIMITED TO THE MANIPULATIONS OF THE RECITED STEPS, ONLY THE STRUCTURE IMPLIED BY THE STEPS.

"[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985) (citations omitted) (Claim was directed to a novolac color developer. The process of making the developer was allowed. The difference between the inventive process and the prior art was the addition of metal oxide and carboxylic acid as separate ingredients instead of adding the more expensive pre-reacted metal

carboxylate. The product-by-process claim was rejected because the end product, in both the prior art and the allowed process, ends up containing metal carboxylate. The fact that the metal carboxylate is not directly added, but is instead produced in-situ does not change the end product.).

16. Claims 1-5 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Day (Biotechniques, vol. 18, pp. 981-984, 1995).

Day et al. teach 96-well plates coated with DNA templates which were dried in the wells.

The plates can then be used for setting up PCR reactions. Alternatively, PCR primers are distributed into the wells and dried there. In both cases, adherence of the dried DNA to the walls of the wells is non-covalent, since both dried template and dried primers function in subsequent PCR reactions (page 381-383).

Claim 1 is being amended with language calling for the reaction chambers to be "storable without problems for a prolonged period of time with unchanged quality."

In contrast, the reference Day et al. says on page 983, 2nd column, line 7 that "the adhesion of template or oligonucleotide DNA to the plastic withstands the conditions of postal transport." .

Applicant urges that m the storability of claim 1 of the reaction chamber is clearly outside of the scope of the postal transport teaching of the Day et al. reference.

Claim 2 is being amended and now requires that the reaction chambers are useable as components for kits. NO such feature is present in the products taught by Day et al.

Claim 5 is being amended by further requiring that "wherein carrier nucleic acid is added to the caclibrated nucleic acid, wherein the carrier nucleic acid generates an improved adsorption during a lyphilization process, an increased stability of the calibrated nucleic acid in the reaction chambers, and serve for producing a thinning sequence out of the calibrated nucleic acid. "

Applicant urges that this feature of applicant's product is clearly absent from the product of Day et al.

Claim 29 is being amended to require that the reaction chamber "is suitable to be stored at room temperature for a period longer than a year without loss of quality".

In contrast the product of Day et al. is capable to withstand postal transport. No long term stability as required in claim 29 is alleged or suggested in the Day et al. reference.

17. No references were found teaching or suggesting claims 6-28, but they are rejected for reasons given above.

Applicants gratefully acknowledge the finding of allowable subject matter in claims 6 to 28.

The present amendment is intended to present claims which are deemed to be in better form for appeal.

Applicant respectfully requests that consideration also be given to claims 30 through 34 submitted on April 17, 2003..

The present amendment is deemed to remove and/or simplify issues which would otherwise require consideration in an appeal.

The present amendment is believed not to present any new issues since the claims are substantially based on previously presented claims and

since such limitations had been individually submitted earlier and had been considered earlier.

It is submitted that the amendment is a bona fide attempt to advance the prosecution by amendments to the claims seeking to overcome rejections based on the applied prior art and/or rejections under 35 U.S.C. 112.

It is submitted that the present amendment complies with observations made in the Final Rejection.

Reconsideration of all outstanding rejections is respectfully requested.

Entry of the present amendment is respectfully requested. All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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